

BURSOR & FISHER, P.A.

L. Timothy Fisher (State Bar No. 191626)
Joel D. Smith (State Bar No. 244902)
1990 North California Boulevard, Suite 940
Walnut Creek, CA 94596
Telephone: (925) 300-4455
Facsimile: (925) 407-2700
E-Mail: ltfisher@bursor.com
jsmith@bursor.com

BURSOR & FISHER, P.A.

Frederick J. Klorczyk III (State Bar No. 320783)
888 Seventh Avenue
New York, NY 10019
Telephone: (646) 837-7150
Facsimile: (212) 989-9163
E-Mail: fklorkczyk@bursor.com

Attorneys for Plaintiff

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

ERIC HUNTER, individually and on behalf of all
others similarly situated,

Plaintiff,

v.

FCA US LLC,

Defendant.

Case No. 4:22-cv-06777-HSG

**STIPULATION AND ORDER FOR
REMAINING BRIEFING ON FCA US
LLC'S MOTION TO DISMISS**

Hon. Haywood S. Gilliam, Jr.

1 Plaintiff Eric Hunter and Defendant FCA US LLC (collectively “the Parties”) jointly
 2 stipulate to a briefing schedule for FCA US’ pending motion to dismiss, pursuant to this Court’s
 3 December 13, 2022 Order (ECF No. 18). In support, the Parties state as follows:

4 1. Plaintiff filed a motion to remand on November 8, 2022, and FCA filed a motion to
 5 dismiss on December 9, 2022. ECF Nos. 13, 16. Plaintiff’s motion to remand is fully briefed, but
 6 the opposition and reply briefs for FCA US’ motion to dismiss have not yet been filed.

7 2. On December 13, 2022, the parties filed a stipulation to stay briefing and continue
 8 the hearing on FCA US’ pending motion to dismiss until resolution of Plaintiff’s pending motion to
 9 remand. ECF No. 17.

10 3. The Court denied in part that stipulation, ordering the parties to submit a briefing
 11 schedule for the opposition and reply briefs on FCA US’ motion to dismiss, with the reply brief to
 12 be due no later than February 9, 2023. ECF No. 18. The Court also set the hearing date for FCA
 13 US’ motion to dismiss on the same date as the hearing for Plaintiff’s pending motion to remand,
 14 which is February 23, 2023. *Id.*

15 Therefore, subject to approval by the Court, the Parties stipulate to the following:

- 16 1. Plaintiff’s opposition to FCA US’ Motion to Dismiss shall be due on or before
 17 January 19, 2023.
- 18 2. FCA US’ reply in support of its Motion to Dismiss shall be due on or before
 19 February 9, 2023.

20 Dated: December 15, 2022

Respectfully submitted,

BURSOR & FISHER, P.A.

23 By: /s/ Joel D. Smith
 24 Joel D. Smith

25 L. Timothy Fisher (State Bar No. 191626)
 26 Joel D. Smith (State Bar No. 244902)
 1990 North California Boulevard, Suite 940
 Walnut Creek, CA 94596
 Telephone: (925) 300-4455
 Facsimile: (925) 407-2700
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888 Seventh Avenue
New York, NY 10019
Telephone: (646) 837-7150
Facsimile: (212) 989-9163
E-Mail: fklorkczyk@bursor.com

Attorneys for Plaintiff

By: /s/ Alexander M. Carnevale (by consent)
Alexander Mr. Carnevale

Alexander M. Carnevale, Bar No. 332875 "
acarnevale@thompsoncoburn.com "
THOMPSON COBURN LLP "
10100 Santa Monica Blvd., Suite 500 "
Los Angeles, California 90067 "
Tel: (310) 282-2500 / Fax: (310) 282-2501

Stephen A. D'Aunoy (to be admitted pro hac vice) "
sdaunoy@thompsoncoburn.com "
Thomas L. Azar, Jr. (to be admitted pro hac vice) "
tazar@thompsoncoburn.com "
Scott H. Morgan (to be admitted pro hac vice) "
smorgan@thompsoncoburn.com "
THOMPSON COBURN LLP "
One US Bank Plaza "
St. Louis, Missouri 63101 "
Tel: (314) 552-6000 / Fax: (314) 552-7000

Attorneys for Defendant FCA US LLC "

L.R. 5-1(h) Attestation

I attest that each of the other Signatories have concurred in the filing of the document.


Dated: December 15, 2022

/s/ Joel D. Smith
Joel D. Smith

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Date: 12/15/2022


Hon. Haywood S. Gilliam, Jr.
United States District Judge